

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CR-20-317-SLP
	)	
JORGE LUIS VILLARREAL,	)	
	)	
Defendant.	)	

**DEFENDANT’S SENTENCING MEMORANDUM**

Pursuant 18 U.S.C. §3553(a) and *United States v. Booker*, 125 S.Ct. 738 (2005), the Defendant, Jorge Luis Villarreal, through his attorney, Julia Summers, submits this sentencing memorandum, in conjunction with information presented in the Presentence Investigation Report (PSR), in support of a sentence to probation, which is below advisory guideline range, as sufficient, but not greater than necessary, to comply with the statutory directives set forth in 18 U.S.C. §3553(a).

***1) The criminal conduct***

In early 2020, Mr. Villarreal found himself laid off from the oilfield career he had held for fourteen years and very much enjoyed. While he searched for a new position during the pandemic-driven shutdown, he earned some meager income doing lawn care, auto mechanics, and buying and selling vehicles. However, this did not provide the consistency and security his family needed to make ends meet. Good

with people, good with sales, and having knowledge of guns, Mr. Villarreal began buying and selling firearms in the profitable private market. Over the course of about six or seven months, he typically met sellers on line through marketplace websites and then turned around and resold the merchandise to buyers in Texas, plus two in Mexico. He put himself in the middle of firearms transactions without having the required license and authorization to do business in this highly regulated area of federal law.

**2) *The offender and his needs***

More than anything, Mr. Villarreal loves being part of his large, extended family. His description of family dynamics, contained in the PSR, highlights the strong bonds between family members and the important values his family experiences instilled in him. He treasures the daughters he is raising after his first wife died unexpectedly and the stepson he is raising with his second wife; and obviously, they need him.

Industrious and resourceful, Mr. Villarreal has acquired a broad range of skills and experiences, from back-breaking farmwork to project management with expense accounts. His responses to the presentence questionnaire convey his enthusiasm and gusto for learning new skills and exploring the world around him. There is no sense of entitlement; he is always polite and respectful and just wants to earn a living and take care of his family.

**3) *The objectives of sentencing***

Mr. Villarreal's criminal course of conduct was serious because Congress has chosen to regulate and oversee certain firearms transactions, and Mr. Villarreal went around these regulations to try to make some money as he faced family obligations and debt on the front end of the pandemic. He had no malice in his heart, he wasn't trying to cheat vulnerable victims, and while he admittedly was trying to make a profit, he certainly wasn't doing it out of greed. Punishment in the form of supervised probation, for the maximum term of five years, would reflect the seriousness of his crime, promote respect for the law, and duly punish him, because of the significant restrictions on his liberty and the felony conviction on his record that he will carry for the rest of his life, potentially impacting him in numerous (primarily financial) ways.

Considering together Mr. Villarreal's work history and skills, his personal qualities and characteristics, his supportive family network, and his respectful compliance with pretrial release conditions (including following instructions when this Court granted him permission to travel several times to Mexico for dental treatment and a family event), there is nothing that suggests imprisonment would be needed to protect the public or to deter him from committing a crime in the future. He has no educational or correctional "needs," and he is fully able to address his own medical needs; his educational and vocational "wants," as well as his personal medical care, are best managed by himself, in his community, not in the BOP.

Mr. Villarreal has demonstrated himself to be responsive to counsel and his pretrial services officer as needed throughout this process. He is fully understanding of the wrongfulness of his conduct and painfully cognizant of the predicament he has placed his family in through his choices. Without reservation, the defense believes Mr. Villarreal will respect all conditions of supervision this Court would impose on him as part of a probationary term. Structured supervision in the community, including oversight of his financial transactions and the search condition as recommended in Paragraphs 81-87 of the PSR, will suffice to address every statutory objective of sentencing.

### **CONCLUSION**

This Court's directive is to impose a sentence that is "sufficient, but not greater than necessary" to fulfill the statutory goals in 18 U.S.C. §3553(a). Considering the full circumstances of Mr. Villarreal's background, instant criminal conduct, his and his family's needs, and compliance with pretrial release conditions, the defense respectfully requests the Court impose a term of probation, with conditions that may include community service, as sufficient to accomplish the objectives of sentencing.

Respectfully submitted,

s/ Julia C. Summers  
JULIA C. SUMMERS, OBA #15851  
Assistant Federal Public Defender  
215 Dean A. McGee, Suite 109

Oklahoma City, OK 73102  
Phone: (405) 609-5963  
Fax: (405) 609-5932  
E-mail: [julia\\_summers@fd.org](mailto:julia_summers@fd.org)  
COUNSEL FOR DEFENDANT,  
JORGE LUIS VILLARREAL

CERTIFICATE OF SERVICE

I hereby certify that on this 23<sup>rd</sup> day of august, 2021, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to Assistant United States Attorneys Ashley Altshuler, Stanley West, and Wilson McGarry.

s/ Julia C. Summers  
JULIA C. SUMMERS